

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EDUARDO JAIME,

Petitioner,

vs.

JAMES E. TILTON, Secretary, California
Department of Corrections and Rehabilitation,¹

Respondent.

No. 2:05-cv-00933-JKS (HC)

FINAL JUDGMENT

The Court having entered its Memorandum Decision of even date herewith disposing of all the issues raised in the petition,

IT IS ORDERED, ADJUDGED AND DECREED THAT the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus is **DENIED**.

IT IS FURTHER ORDERED THAT the Court declines to issue a Certificate of Appealability. 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (a COA should be granted where the applicant has made “a substantial showing of the denial of a constitutional right,” *i.e.*, when “reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further” (internal quotation marks and citations omitted)); *Hoffman v. Arave*, 455 F.3d 926, 943 (9th Cir.2006) (same). All federal constitutional issues properly raised in the petition were either addressed by the California Court of Appeal in its decision or addressed by the Yolo County Superior Court in denying Petitioner’s petition for habeas relief

¹ James E. Tilton, Secretary, California Department of Corrections and Rehabilitation, substituted for Jeanne Woodford, Director, CDC. Fed. R. Civ. P. 25(c).

before that court and no reasonable jurist could find that those decisions were “objectively unreasonable.”

Dated: November 30, 2007.

s/ James K. Singleton, Jr.
JAMES K. SINGLETON, JR.
United States District Judge